

United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.		
10/826,319	04/19/2004	Tetsuo Aoyama	060937-0186-US	1070		
9629 75	90 08/18/2006		EXAM	EXAMINER		
MORGAN LEWIS & BOCKIUS LLP			DOUYON, I	DOUYON, LORNA M		
WASHINGTON, DC 20004			ART UNIT	PAPER NUMBER		
			1751			
			DATE MAILED: 08/18/2006	5		

Please find below and/or attached an Office communication concerning this application or proceeding.

		(
	Application No.	Applicant(s)	
	10/826,319	AOYAMA ET AL.	
Office Action Summary	Examiner	Art Unit	
	Lorna M. Douyon	1751	
The MAILING DATE of this communication a Period for Reply	ppears on the cover sheet w	th the correspondence address	
A SHORTENED STATUTORY PERIOD FOR REP WHICHEVER IS LONGER, FROM THE MAILING - Extensions of time may be available under the provisions of 37 CFR after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory perions are reply within the set or extended period for reply will, by state the provision of the provision of the maximum statutory perions are reply received by the Office later than three months after the main earned patent term adjustment. See 37 CFR 1.704(b).	DATE OF THIS COMMUNION 1.136(a). In no event, however, may a conduction will apply and will expire SIX (6) MONUTE, cause the application to become AB	CATION. reply be timely filed ITHS from the mailing date of this communic BANDONED (35 U.S.C. § 133).	
Status			
1) Responsive to communication(s) filed on 19	April 2004.		
	nis action is non-final.		
3) Since this application is in condition for allow	vance except for formal matt	ers, prosecution as to the merit	ts is
closed in accordance with the practice under	r <i>Ex parte Quayle</i> , 1935 C.D). 11, 453 O.G. 213.	
Disposition of Claims			
4)⊠ Claim(s) <u>1-33</u> is/are pending in the application	on.		
4a) Of the above claim(s) is/are withdo	rawn from consideration.		
5) Claim(s) is/are allowed.			
6) Claim(s) is/are rejected.			
7) Claim(s) is/are objected to.			
8) Claim(s) 1-33 are subject to restriction and/o	or election requirement.		
Application Papers			
9) The specification is objected to by the Exami	ner.		
10) The drawing(s) filed on is/are: a) □ ad	ccepted or b) objected to	by the Examiner.	
Applicant may not request that any objection to the	ne drawing(s) be held in abeyar	ice. See 37 CFR 1.85(a).	
Replacement drawing sheet(s) including the corre	ection is required if the drawing	(s) is objected to. See 37 CFR 1.12	21(d).
11)☐ The oath or declaration is objected to by the	Examiner. Note the attached	d Office Action or form PTO-152	2.
Priority under 35 U.S.C. § 119			
12) Acknowledgment is made of a claim for foreigal All b) Some * c) None of:	gn priority under 35 U.S.C. §	119(a)-(d) or (f).	
 Certified copies of the priority docume 	nts have been received.		
Certified copies of the priority docume	nts have been received in A	pplication No	
Copies of the certified copies of the pr	iority documents have been	received in this National Stage	;
application from the International Bure			
* See the attached detailed Office action for a list	st of the certified copies not	received.	
Attachment(s)			
1) Notice of References Cited (PTO-892)		Summary (PTO-413)	
 Notice of Draftsperson's Patent Drawing Review (PTO-948) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/0 Paper No(s)/Mail Date 		s)/Mail Date nformal Patent Application (PTO-152)	
. apor 110(s)/mail bate	0) LJ Oulei	一 ·	

Application/Control Number: 10/826,319 Page 2

Art Unit: 1751

Election/Restrictions

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:

- Claims 1-25, drawn to a dilute aqueous cleaner and residue remover, classified in class 510, subclass 175.
- II. Claims 26-33, drawn to a method of cleaning a semiconductor substrate,classified in class 134, subclass 2.
- 2. Inventions I and II are related as product and process of use. The inventions can be shown to be distinct if either or both of the following can be shown: (1) the process for using the product as claimed can be practiced with another materially different product or (2) the product as claimed can be used in a materially different process of using that product. See MPEP § 806.05(h). In the instant case the process for using the product as claimed can be practiced with another materially different product such as an aqueous solution comprising hydrofluoric acid.
- 3. Because these inventions are independent or distinct for the reasons given above and have acquired a separate status in the art in view of their different classification, and the inventions require a different field of search (see MPEP § 808.02), restriction for examination purposes as indicated is proper.

4. Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the requirement be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

The election of an invention or species may be made with or without traverse. To reserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.

Should applicant traverse on the ground that the inventions or species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the inventions or species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C.103(a) of the other invention.

- 5. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).
- 6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lorna M. Douyon whose telephone number is (571) 272-1313. The examiner can normally be reached on Mondays-Fridays from 8:00AM to 4:30 PM.

Application/Control Number: 10/826,319 Page 4

Art Unit: 1751

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Douglas McGinty can be reached on (571) 272-1029. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Lorna M. Douyon
Primary Examiner
Art Unit 1751